Culvert Rehabilitation near Fish Camp in Madera and Mariposa Counties

On State Route 41 from south of Summit Road
to south of the Yosemite National Park boundary
10-MPA/MAD-41-0.10/4.85, D0.63/D1.84

Project EA: 10-1E770
Project ID: 1015000113
SCH No: 2017061059

Initial Study
with Mitigated Negative Declaration

Prepared by the
State of California Department of Transportation

September 2017

Caltrans

General Information About This Document

The draft Initial Study with Proposed Mitigated Negative Declaration was circulated for public review and comment from June 22, 2017 through July 22, 2017. Three comments were received. A State Clearinghouse letter was received on July 23, 2017 acknowledging that Caltrans has complied with review requirement for draft environmental documents, pursuant to the California Environmental Quality Act (see Appendix C, Comments and Responses), which has been added since the draft environmental document.

Elsewhere throughout this document, a line in the right margin indicates a change made since the draft document circulation.

For individuals with sensory disabilities, this document is available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: Juan Torres, Environmental North Generalist Branch, 855 M Street, Suite 200, Fresno, CA 93721; (559) 445-6172, or use California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

10-MPA/MAD-41-0.10/485, D0.63/D1.84
Project ID No. 1015000113
SCH No. 2017061059

Replace and/or repair deteriorated cross drainage systems at 19 locations on State Route 41 in Mariposa and Madera Counties near Fish Camp

INITIAL STUDY
with Mitigated Negative Declaration

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation

9/15/17
Date of Approval

Juan Torres
Senior Environmental Planner
Central Region Environmental Division
California Department of Transportation

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) will replace and/or repair deteriorated cross drainage systems at 19 locations within the project limits on State Route 41 from post miles 0.10 to 4.85, in Mariposa County and from post miles D0.63 to D1.84 in Madera County.

Determination

Caltrans has prepared an Initial Study for this project, and following public review, has determined from this study that the project will not have a significant effect on the environment for the following reasons:

The project will have no effect on: Aesthetics, Agriculture and Forest Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Mandatory Findings of Significance, Transportation/Traffic, or Utilities and Service Systems.

In addition, the project would have less than significant effects to Hazards and Hazardous Materials and Hydrology and Water Quality.

With the following mitigation measures incorporated, the project would have less than significant effects to Cultural and Biological Resources:

- Cultural Resources will be mitigated by establishing Environmentally Sensitive Area fencing and monitoring during construction activities at two culvert locations.
- Biological Resources will be mitigated by performing onsite special-status plant species transplanting.

Juan Torres

Juan Torres
Senior Environmental Planner
Central Region Environmental Division
California Department of Transportation

9/15/17
Date

Project Description and Background

Project Title

Culvert Rehabilitation Near Fish Camp in Madera and Mariposa Counties

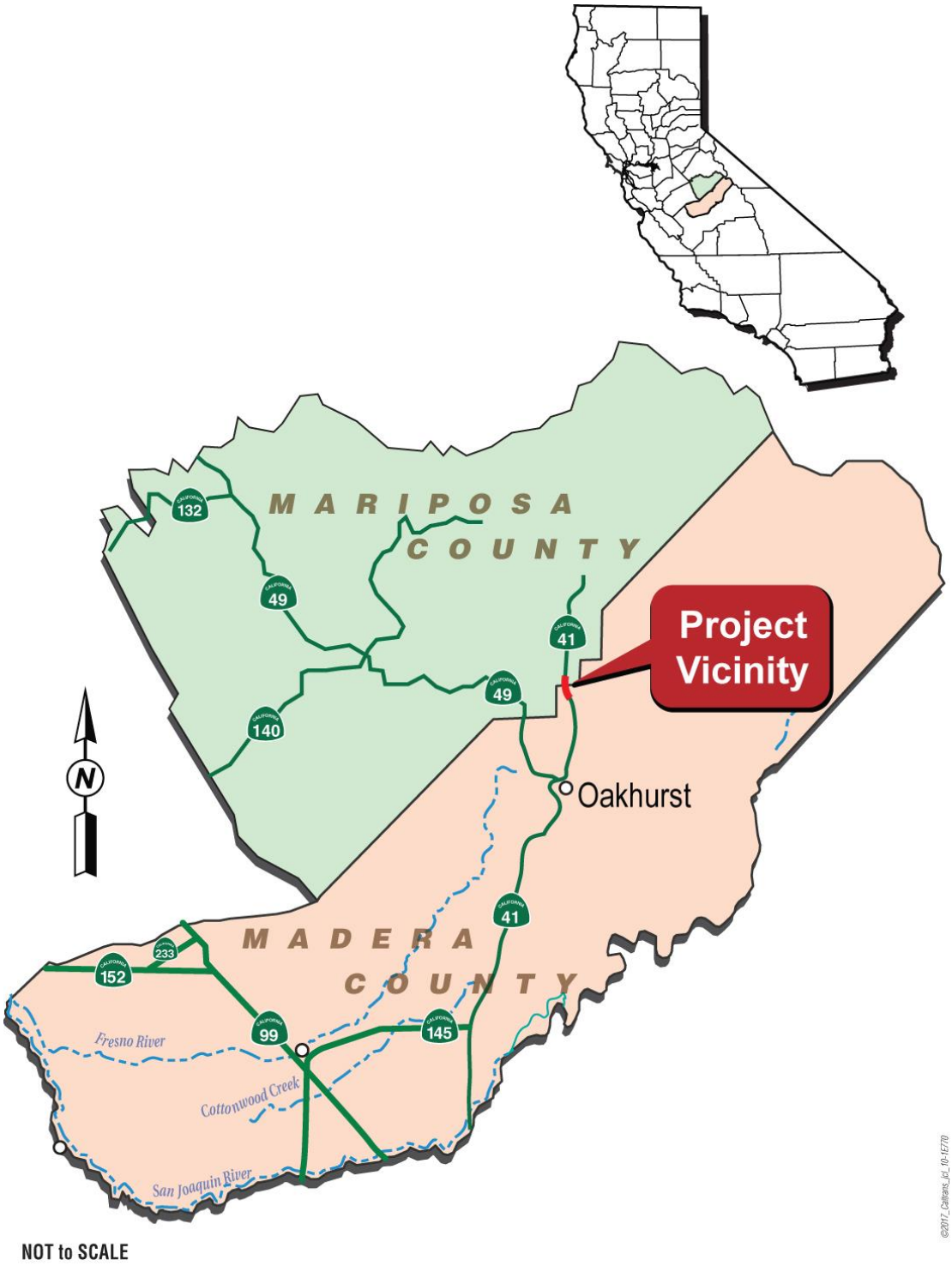
Project Location

On State Route 41 in Madera and Mariposa Counties near Fish Camp from 1.3 miles south of Summit Road to 0.1 miles south of Yosemite National Park.

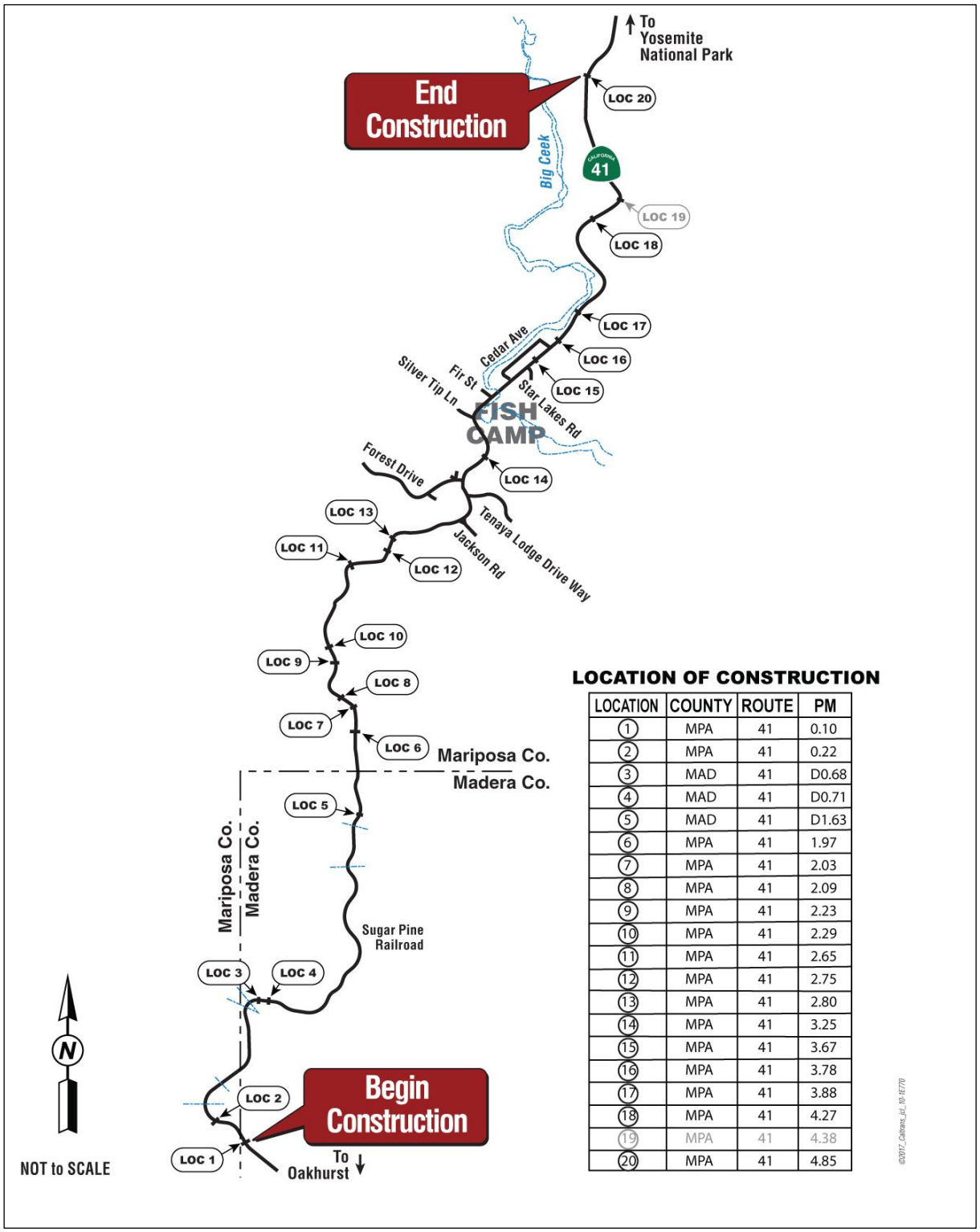
Project Title

Culvert Rehabilitation Near Fish Camp in Madera and Mariposa Counties

Project Vicinity Map



Project Location Map



LOCATION OF CONSTRUCTION

LOCATION	COUNTY	ROUTE	PM
1	MPA	41	0.10
2	MPA	41	0.22
3	MAD	41	D0.68
4	MAD	41	D0.71
5	MAD	41	D1.63
6	MPA	41	1.97
7	MPA	41	2.03
8	MPA	41	2.09
9	MPA	41	2.23
10	MPA	41	2.29
11	MPA	41	2.65
12	MPA	41	2.75
13	MPA	41	2.80
14	MPA	41	3.25
15	MPA	41	3.67
16	MPA	41	3.78
17	MPA	41	3.88
18	MPA	41	4.27
19	MPA	41	4.38
20	MPA	41	4.85

Description of Project

The Culvert Rehabilitation near Fish Camp Project will replace and/or repair deteriorated cross drainage systems (corrugated metal pipe (CMP)) at nineteen locations within the project limits. No additional right-of-way would be acquired. Construction would begin Summer 2019, lasting 50 working days (Monday-Friday), with no night work anticipated. Traffic control would be implemented with standard one-way reverse traffic control with flaggers.

Location	Post Mile	Method
1	0.1	Replace
2	0.22	Cured-in-Place
3	D0.68	Cured-in-Place
4	D0.71	Cured-in-Place
5	D1.63	Replace
6	1.97	Replace
7	2.03	Replace
8	2.09	Replace
9	2.23	Replace
10	2.29	Replace
11	2.65	Cured-in-Place
12	2.75	Replace
13	2.8	Replace
14	3.25	Replace
15	3.67	Replace
16	3.78	Replace
17	3.88	Replace
18	4.27	Replace
19	4.38	*Dropped from the project. Location already repaired (06-0W130)*
20	4.85	Replace

Surrounding Lands Uses and Setting

The Culvert Rehabilitation near Fish Camp Project is located in Madera and Mariposa Counties from post mile 0.10 to 4.85, south of the entrance of Yosemite National Park. In this area, State Route 41 is listed as Scenic by the California Department of Transportation, Streets and Highways Code, Division 1, Chapter 2, Article 2.5, Section 263 (State Scenic Highways). This stretch of State Route 41 is comprised of mountainous terrain, riparian forest habitat surrounded by recreational, residential, light industrial, and agricultural land.

Permits and Approvals Needed

The following permits, licenses, agreements, and certifications (PLACs) are required for project construction

Agency	PLAC	Status
U.S. Army Corps of Engineers	Section 404 Nationwide Permit	Permit application will be submitted at the Plans, Specifications and Estimate phase of the project.
California Department of Fish and Wildlife	1600 Streambed Alteration Agreement	Permit application will be submitted at the Plans, Specifications and Estimate phase of the project.
Regional Water Quality Control Board	Section 401 Permit	Permit application will be submitted at the Plans, Specifications and Estimate phase of the project.

CEQA Environmental Checklist

CEQA Environmental Checklist

10-MPA/MAD-41	0.10/4.85, D0.63/D1.84	10-1E770/1015000113
Dist.-Co.-Rte.	P.M/P.M.	E.A./I.D.

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

IV. BIOLOGICAL RESOURCES: Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒
VI. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	An assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans determination that in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the body of the environmental document.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	☒
X. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b)Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
XI. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XIII. POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIV. PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒
XV. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
XVI. TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒
XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Additional Explanations for Questions in the Impacts Checklist

This section discusses plant and animal species that are either state- or federally-listed as threatened or endangered, or as currently proposed for such listing.

IV. Biological Resources (checklist questions a, b, and c)

A Natural Environment Study was prepared in May 2017. See Appendix A for Species Lists. The project is located inside the boundaries of the Sierra National Forest, on State Route 41 near Fish Camp in Mariposa and Madera Counties, California. The curvy highway links Yosemite National Park, recreational mountain destination, with the Fresno metro area. Multiple drainage systems are located along the highway. The project area is rural and entirely forested with mountainous terrain, with conifer forest dominating as vegetation.

The Biological Study Area was determined by estimating direct impacts to special-status species. Each culvert repair location is relatively small, a buffer of 400 square feet (20 feet x 20 feet), and is defined as the Project Impact Area. To capture all biological resources at each location, a Biological Study Area of 500 feet was identified around each culvert location.

Agency Coordination

U.S. Forest Service

October 2016 - Coordination with the U.S. Forest Service was initiated. Caltrans contacted U.S. Forest Service biologists via email on the scope of the project.

March 2017 - Caltrans Biology contacted U.S. Forest Service regarding Limits of Operation Periods for sensitive species.

March 2017 – Caltrans Biology contacted U.S. Forest Service, Susana Sutton-Mazzocco and Yosemite National Park Biologist, Stephanie Eyes regarding wildlife crossings along State Route 41.

April 2017 – Caltrans biologists met U.S. Forest Service and Yosemite National Park biologist at the project location to discuss the project and surveys.

Threatened and Endangered Species

Affected Environment

Seven federal- and State-listed species were evaluated for this project: the California red-legged frog *(Rana draytonii)*, the Sierra Nevada yellow-legged frog *(Rana sierra)*, the Yosemite toad *(Anaxyrus canorus)*, the Delta smelt *(Hypomesus transpacificus)*, steelhead *(Oncorhnchus mykiss)*, Sierra Nevada red fox *(Vulpes vulpes necator)*, and the Pacific fisher (*Martes pennanti*).

Pacific fisher

The Pacific fisher, is a federal proposed threatened species, U.S. Forest Service sensitive species, and a state candidate threatened species. This species prefers late successional conifer and mixed conifer forests at middle elevations with high canopy closure, large trees with cavities, large downed logs and riparian corridors. They den generally in hollow logs, tree cavities, and under deadfall.

The Sierra National Forest, Bass Lake Ranger District conducted camera monitoring in 2011-2013 on many of the culverts along State Route 41. The fisher was regularly using several of the culverts to cross under the highway during these surveys. Although Caltrans did not perform any surveys for this species, the California Natural Diversity Database query resulted in three records of fisher sightings within the eastern third of the project study area, all dated 1990. Potentially suitable fisher habitat exists over the entire project study area that has mixed conifer or red fir forest types with sufficient canopy cover.

Environmental Consequences

Due to the lack of aquatic habitat or mountain riparian streams, the Biological Study Area is unsuitable habitat for amphibian species, California red-legged frog, the Sierra Nevada yellow-legged frog, and the Yosemite toad. Likewise, the habitat is unsuitable for fish species, Delta smelt and steelhead. Critical habitat was not identified for the Sierra Nevada red fox, a federal candidate species, was also listed on Information for Planning and Consultation (IPaC).

Caltrans has determined that, in accordance with Section 7 of the Endangered Species Act, the proposed project would have a "no effect" determination to the federally-listed or candidate species.

FESA Effect Findings

Common Name	Scientific Name	Status	FESA Effect Finding
California red-legged frog	*Rana draytonii*	FT	No Effect
Sierra Nevada yellow-legged frog	*Rana sierra*	FE	No Effect
Yosemite toad	*Anaxyrus canorus*	FT	No Effect
Delta smelt	*Hypomesus transpacificus*	FT	No Effect
Steelhead	*Oncorhnchus mykiss*	FT	No Effect
Sierra Nevada red fox	*Vulpes vulpes necator*	FC	No Effect
Fisher: West Coast DPS	*Martes pennanti*	FPT	No Effect

Status: Federal Endangered (FE); Federal Threatened (FT); Federal proposed (FP, FPE, FPT); Federal Candidate (FC)

Pacific fisher

Project impacts are limited to 400 square feet per culvert site and immediately adjacent to the existing roadbed. These impacts would most often occur on areas of road fill or road cut, which are modified habitats already. No large trees are proposed for removal, so canopy cover and the abundance of large diameter snags or woody debris would be unaffected. This species may cross State Route 41 at various points, they are not likely to be found staying in close proximity to a relatively busy arterial forest roadway.

Temporary impacts are limited to the noise, vibration and dust created by project activities and work personnel. These impacts would be highly localized, low intensity, and of short duration. Culvert work occurring during the daylight hours is also less likely to impact this species because they are generally most active during dawn and dusk and more nocturnal. This section of State Route 41 has high potential for fisher vehicle collisions. Death or injury by vehicle collision during road-crossing attempts is always a risk under normal operating conditions. While the presence of construction machinery and increased traffic from work vehicles can intensify the risk within the work zone, reduced speed limits and controlled traffic flow may also reduce that risk. The risk of vehicle collision remains, but project-related activities may not actually increase it. Noise, human presence, and construction activity may also encourage fishers to avoid the active work zone altogether.

Caltrans has determined that, in accordance with Section 7 of the Endangered Species Act, the proposed project will have a ”no effect” on the Pacific fisher with the implementation of avoidance and minimization measures.

Avoidance, Minimization, and/or Mitigation Measures

Pacific fisher

Because suitable habitat for the Pacific fisher exists throughout most of the project area, the following avoidance and minimization efforts are as follows:

- Worker Environmental Awareness Training would be performed by a qualified biologist for all work personnel to inform workers of the special-status species potentially within the work area, protective measures, reporting procedures, and consequences of violating environmental laws and permit requirements.
- Culverts would be carefully examined immediately prior to construction to ensure that fisher (nor any other animal) may be denning or resting within the culvert.
- Construction vehicles would be limited to a 20 mile per hour speed limit within work zones.

- If the Pacific fisher becomes federally-listed by construction year, Caltrans would consult with the U.S. Forest Service to discuss any other additional measures would be required.

Other Special-Status Species

Animals are considered to be of special concern based on (1) federal, State, or local laws regulating their development; (2) limited distributions; and/or (3) the habitat requirements of special-status animals occurring onsite. Special-Status Species includes the Pacific fisher and the Sierra marten. The discussion of the Sierra marten is discussed below:

Affected Environment

Sierra marten

The Sierra marten (*martes Americana sierrae*), is a U.S. Forest Service sensitive species. This species is a member of the carnivorous weasel family. They prefer mixed conifer forests at mid to high elevations, large trees and snags. Habitat types include red fir, lodgepole pine, subalpine conifer, Jeffery pine, and mixed conifer. Martens den in tree and rock cavities, or in burrows and hollow logs.

Caltrans did not perform any surveys within the project study area. There are California Natural Diversity Database records within the project impact area from 2002 and 2003. Suitable habitat exists throughout most of the project area, where the forest provides the necessary amount of canopy closure and other habitat features. They are assumed to be present within the project area, but dens are not likely to be located near State Route 41 due to the level of traffic noise and human presence and are not likely to remain in areas close to the road corridor. The probability that martens may be seen in the project area is low.

Environmental Consequences

The project is not anticipated to result in any permanent effects to marten habitat. Project impacts are limited to a very small area, estimated at approximately 400 square feet, immediately adjacent to the existing roadbed. Impacts would most often occur on areas of road fill or road cut, which are modified habitats already. No large trees are proposed for removal, so canopy cover and the abundance of large diameter snags or woody debris would be unaffected. Martens may cross State Route 41 at various points, they are not likely to be found staying in close proximity to a relatively busy arterial forest roadway.

Temporary impacts are limited to the noise, vibration, and dust created by the construction machinery and work personnel. Although in all cases these impacts would be highly localized, low intensity, and of short duration, they would be greatest

at project sites undergoing a culvert replacement and least at the sites proposed for relining. Culvert work occurring during the daylight hours is also less likely to impact martens because they are generally most active during dawn and dusk, and more nocturnal. It is possible martens may use a culvert as a movement corridor, or a dry culvert as resting area. Work on any occupied culvert would certainly disturb and displace any marten within. Death or injury by vehicle collision during road crossing attempts is always a risk under normal operating conditions. While the presence of heavy construction machinery and increased traffic from work vehicles can intensify the risk within the work zone, reduced speed limits and controlled traffic flow may also reduce that risk. The risk of vehicle collision remains, but project-related activities may not actually increase it. Noise, human presence, and construction activity may also encourage martens to avoid the active work zone altogether.

Avoidance, Minimization, and/or Mitigation Measures

Because suitable habitat for the Sierra marten exists throughout most of the project area, the following avoidance and minimization efforts are as follows:

- Worker Environmental Awareness Training would be performed by a qualified biologist for all work personnel to inform workers of the special-status species potentially within the work area, protective measures, reporting procedures, and consequences of violating environmental laws and permit requirements.
- Culverts would be carefully examined immediately prior to construction to ensure that Sierra marten (nor any other animal) may be denning or resting within the culvert.
- Construction vehicles would be limited to a 20-mile per hour speed limit within work zones.

Migratory Birds

Affected Environment

California spotted owl

The California spotted owl (Strix occidentalis), is one of three sub-species of spotted owls that occur in the western United States. It is a U.S. Forest Service Sensitive species and a California Species of Special Concern. This species occurs in the Sierra Nevada mountain range, as well as the Coast Ranges south of Monterey Bay and the Transverse Ranges of southern California.

Caltrans did not perform surveys for this species because the project area contains suitable nesting and foraging habitat for this species. The U.S. Forest Service surveys and monitors California spotted owl nests yearly. U.S. Forest Activity Centers have found the species within one mile within the project area. No California Natural Diversity Database occurrences were found within five miles of the project area.

Northern Goshawk

The northern goshawk (*accipter gentilis*) is the largest of the three accipiter (hawk) species in North America. This species is listed as a sensitive species by the U.S. Forest Service. They occur throughout the Sierra Nevada range, the mountains of northwest California, north of the Bay Area, and have a more patchy distribution throughout the transvers ranges in southern California.

Caltrans did not perform surveys for this species because the project area contains suitable nesting and foraging habitat. Caltrans and the U.S. Forest Service visited the project location in March 2017. U.S. Forest Service staff stated that Northern goshawks have been recorded in and near the biological study area and provided Caltrans with GIS mapping of known nests. In addition, U.S. Forest Service Activity Centers found the Northern goshawk were recorded within one mile of the project. No California Natural Diversity Database occurrences were found within five miles of the project area.

Environmental Consequences

The project has the potential to disrupt nesting and foraging activities for migratory birds due to the generation of noise and vibrations during project activities. The potential for the project to indirectly negatively impact the species through habitat conversion will be avoided by implementing avoidance and minimization measures.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures would be implemented for migratory birds:

- Worker Environmental Awareness Training would be performed by a qualified biologist for all work personnel to inform them of the special-status species potentially within the work area, protective measures, reporting procedures, and consequences of violating environmental laws and permit requirements.
- Nesting bird surveys would be performed during the appropriate season prior to the commencement of work on any culvert site in proximity (less than 100 feet) to nests.
- Trimming of trees to facilitate work access will be minimized as much as possible. Any vegetation would be examined for nests prior to trimming. Any

active nests would be protected by a 100-foot radius no-activity buffer until any young birds have fledged and left the nest.

Special-Status Plant Species

The plants listed are considered to be of special concern based on (1) federal, state, or local laws regulating their development; (2) limited distributions; and/or (3) the presence of habitat required by the special-status plants occurring on site.

Affected Environment

According to the California Native Plant Society Inventory, the Bolander's woodreed and the short-leaved hulsea are ranked 1B.2. Rank 1B means "rare, threatened/endangered in California and elsewhere." The Threat Rank is 0.2 for this species, meaning "fairly threatened in California 20-80% occurrences threatened/moderate degree and immediacy of threat." Caltrans would implement measures following California Department of Fish and Game's November 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* for the Bolander's woodreed and the short-leaved hulsea.

Bolander's woodreed

The Bolander's woodreed (*Cinna bolanderi*) is a perennial grass that is native to California. This plant is commonly found in wetlands and riparian habitats such as streambanks, wet meadows and most sites within conifer forests. It can be found between 6,069 feet and 7,874 feet elevation and blooms from July to September (Calflora 2017). It is listed as a rare plant rank of 1B.2, and a U.S. Forest Service sensitive plant species.

Caltrans did not perform surveys for the Bolander's woodreed. There are two occurrences in California Natural Diversity Database of this species located 2.5 miles and 1 mile north of post mile 5.0, outside the project limits. Based on the plant's requirements for riparian habitat and the disturbed conditions of the impact areas, the Bolander's woodreed has a low potential of occurring with the project impact area.

Short-leaved Hulsea

The short-leaved hulsea (*Hulsea brevifolia*) is a perennial herb that can be found in gravelly soils of montane and red fir forests. It grows between 4,920 feet and 8,860 feet elevation and blooms from May through August (Calflora 2017). This species is listed as a U.S. Forest Service sensitive plant species and a California Native Plant Society rare plant rank 1B.2.

Caltrans did not perform surveys for the short-leaved hulsea. Species queries indicated there are records from 2007 of the species within a mile of the project area (California Native Plant Society 2017). Several culvert work sites are located near recorded short-leaved hulsea occurrence areas.

Environmental Consequences

Tree removal is not anticipated for the replacement or repair of culverts identified for this project, however, there will be some minimal vegetation removal required. The project impact area would be expected to recover ground vegetation within one or two seasons post-construction, so the majority of the impacts would be considered temporary in nature and of short duration. Some culverts would be replaced and the anticipated impact area is estimated at 400 square feet, including excavation of the trench. Construction equipment would include a backhoe and an excavator.
The degree of trampling by the work crew within the work site would also be low due to the short duration (2-3 days per culvert) of the culvert replacement operation. Heavy equipment may need to go into off-pavement areas adjacent to the road in some locations, resulting in trampling and soil compaction. The re-filling of the culvert trench would result in an area of bare ground that would take a season or more to re-establish vegetation. No permanent loss of habitat is expected from these work activities.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be implemented for the Bolander's woodreed and the short-leaved hulsea:

- Worker Environmental Awareness Training would be performed by a qualified biologist for all work personnel to inform them of the special-status species potentially within the work area, protective measures, reporting procedures, and consequences of violating environmental laws and permit requirements.
- Protocol botanical pre-construction surveys will be performed during the flowering season at all work sites where ground-disturbance is anticipated, and with suitable habitat within or near California Native Plant Society and California Natural Diversity Database occurrence records.
- For any flowering populations found within a work site, immediately prior to any soil disturbance, the location of each population would be noted on a work site plan. The plants would then be excavated along with sufficient blocks of surrounding soil so as to retain the root structure intact. The plants and soil will be placed in a safe location near the work site and kept moist. Upon completion of the work, the plants would be carefully replaced within or as close to their original location as possible.

- For work sites where construction begins after the flowering period, the top soil would be removed and stored safely near the work area, and replaced after construction is finished so as to maintain the existing seed bank and ensure the continued growth of that population.

Natural Communities

Wetlands and Other Waters of the U.S.

Affected Environment

The project area includes potential jurisdictional water channels. Of a total of nineteen culverts, 10 are roadside drainages with grated inlets. Although strictly for roadside runoff, two culvert systems are associated with an adjacent channels. The remaining nine culverts are steel pipe inlets and outlets with flared end sections. Three of the nine are associated with a jurisdictional channel and season stream.

Environmental Consequences

Work at waterways would be performed during low-flow or no-flow conditions when possible. Culvert relining and repair work would have minor temporary impacts to waterways that would not involve fill or result in alterations to flow or carrying capacity. Culvert replacement work would result in impacts to waterway due to soil disturbance and the excavation of the culvert trench. In no case are the proposed actions anticipated to result in diminished stream flow or altered flow patterns.

Avoidance, Minimization, and/or Mitigation Measures

Permits under the Clean Water Act would be required including a Section 404 Nationwide permit from the U.S. Army Corps of Engineers, a Water Quality Certification Section 401 permit from the Regional Water Quality Control Board, and a 1600 Streambed Alteration Agreement from the California Department of Fish and Wildlife. In addition, a jurisdictional delineation report would be completed and submitted to the U.S. Army Corps of Engineers for approval.

V. Cultural Resources (checklist questions a and b)

A Historic Property Survey Report and a Finding of Effect were prepared in May 2017.

Affected Environment

The project was delineated as being an approximately 5 miles long segment of State Route 41, but work is only being conducted at nineteen separate locations along this stretch of highway. The Area of Potential Effects (APE) was determined at each

location based upon the maximum extent of project-related activities that could potentially have temporary or permanent impacts and the width of existing Caltrans right-of-way. The vertical APE for the project is 20 feet at locations where full culvert replacement are proposed and 3.3 feet at locations where relining only is proposed. Each culvert rehabilitation impact area is 400 square feet (20 by 20 feet).

Of the nineteen locations for culvert rehabilitation, two have the potential to impact historic properties. The sites are:

- Archaeological site (CA-MAD-233), assumed eligible for inclusion in the National Register of Historic Places for the purposes of this project only per Section 106 Programmatic Agreement
- Westfall Ranger Station – found eligible for inclusion in the National Register of Historic Places

Environmental Consequences

Rehabilitating the culverts located at the two historic properties would involve a method called cured-in-place-pipe. Activities include lining the two existing culverts using cured-in-place-pipe using a cured, resin-impregnated flexible tube either through inverting the tube in place using water, air, or by pulling the tube in place with a hoist. The placement of culvert inserts would be completed in a manner consistent with insuring that none of the character defining features would be adversely affected. All work would be completed from the roadway except when construction crew removes debris in the culverts.

Pursuant to 36 CFR 800.5 (b) Caltrans, as assigned by the Federal Highway Administration, has determined a Finding of No Adverse Effect for this project is appropriate. In June 2017, the State Historic Preservation Officer (SHPO) concurred on Caltrans' effects findings. The SHPO concurrence letter can be found in Appendix D of this document.

Native American Consultation

Caltrans policy and procedures ensure that Native Americans are involved in all aspects of identifying, evaluating and treating Native American historic properties or historical resources. Caltrans consults Native American Tribes early on and continues throughout the life of the project. Native Americans' recommendations on the treatment of Native American human remains, associated grave artifacts and sacred objects that may be unearthed by Caltrans activities are given maximum consideration.

Caltrans contacted the following Native American Tribes, Groups and Individuals for consultation for this project in October 2016 and March 2017:

Tribe	Results
Buena Vista Rancheria	Consultation Concluded
Calaveras Band of Mi-Wuk	Consultation Concluded
Chicken Ranch Rancheria of Me-Wuk	No response
Ione Band of Miwok Indians	Consultation Ongoing
Jackson Rancheria Band of Miwuk Indians	Consultation Concluded
Nashville-El Dorado Miwok	No Response
North Fork Rancheria of Mono Indians	Consultation Ongoing
Picayune Rancheria of the Chuckchansi Indians	Consultation Ongoing
Shingle Springs Band of Miwok Indians	No Response
Southern Sierra Miwuk Nation	Consultation Ongoing
Strawberry Valley Rancheria	No Response
Tuolumne Band of Me-Wuk	Consultation Concluded
United Auburn Indian Community	No Response

Avoidance, Minimization, and/or Mitigation Measures

An Environmentally Sensitive Area Action Plan was prepared in April 2017. Historic properties would be protected during all construction activities by establishing Environmentally Sensitive Area fencing on both sides of State Route 41, within the Caltrans right-of-way, to ensure that none of the features associated with either site are affected by construction activities. To ensure that project activities would not change and result in an adverse effect, Caltrans would ensure that a Caltrans Principal Architectural Historian would review construction plans as developed and monitor construction activities. A Caltrans Co-principal Investigator in prehistoric archaeology would review construction plans, establish Environmentally Sensitive Area fencing prior to construction activities, in conjunction with the Caltrans Architectural Historian, and monitor all project-related construction activities at the historic properties daily.

The following measures would be implemented:

- During pre-construction meetings, the Environmentally Sensitive Areas would be discussed. Construction personnel would be informed of historic preservation laws that protect archaeological/historic sites against any disturbance or removal of any artifacts.
- Resident Engineer notify Caltrans Architectural Historian, Archaeologist and the Environmental Branch Chief, at least one week in advance of construction to ensure that Architectural Historian or Archaeologist monitor Environmentally Sensitive Area fencing installation.
- Resident Engineer would notify Architectural Historian and Archaeologist when construction begins.
- Caltrans Architectural Historian and/or Archaeologist would notify the State historic Preservation Office within 48 hours of Environmentally Sensitive Area breech or damage to elements of the historic site and consult immediately to determine how to address.
- Construction Liaison or Resident Engineer would inform Architectural Historian or Archaeologist when construction is complete.
- Architectural Historian/ Archaeologist/Construction would remove ESA fencing after construction is complete
- Architectural Historian or Archaeologist would notify Bass Lake Ranger District Archaeologist of the completion of the project.
- If an archaeological find is discovered within the Archaeological Monitoring Area, stop all work within a 50-foot-radius of the find. Archaeological materials found are the property of the State. Do not resume work within the 50-foot-radius of the find until the Resident Engineer provides written approval.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the local coroner contact. Pursuant to California Public Resources Section 5097.98, if the remains are thought to be Native American, the coroner would notify the Native American Heritage Commission who would then notify the Most Likely Descendent. At the time, the person who discovered the remains will contact Environmental Branch Chief so that they may work with Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Appendix A Species Lists

U.S. Fish and Wildlife Service Species List

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Consultation Code: 08ESMF00-2017-SLI-1089
Event Code: 08ESMF00-2017-E-08575
Project Name: 10-1E770 Fish Camp

September 05, 2017

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to

utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2017-SLI-1089

Event Code: 08ESMF00-2017-E-08575

Project Name: 10-1E770 Fish Camp

Project Type: TRANSPORTATION

Project Description: Fish Camp culverts SR41

Project Location:

Approximate location of the project can be viewed in Google Maps:
https://www.google.com/maps/place/37.47043937683533N119.64390022282456W

Counties: Madera, CA | Mariposa, CA

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
Sierra Nevada Yellow-legged Frog *Rana sierrae* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered
Yosemite Toad *Anaxyrus canorus* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7255	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened
Steelhead *Oncorhynchus (=Salmo) mykiss* Population: Northern California DPS There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1007	Threatened

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

U.S. Forest Service Species List

US Forest Service Species List

US Fish and Wildlife Service
Terrestrial species list for Sierra National Forest
R5 Forest Sensitive Species List
Management Indicator Species

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
Birds					
California Condor	*Gymnogyps californianus*	Federally Endangered	<9,000	Open terrain & roost on cliffs and large trees	
Bald eagle	*Haliaeetus leucocephalus*	Forest Service Sensitive	Sea elevation – 7,000	Winter habitat in the Sierra NF, day perches, roost sites, and foraging sites along large open waters with abundant prey. Know nest sites are at bass and Shaver Lakes, Lake Edison.	LOP within **660 feet** of known nest or potential roosts (source National Bald Eagle guidelines 2007) – **January to July**
California spotted owl	*Strix occidentalis occidentalis*	Forest Service Sensitive	2,000-8,000	Sierra Nevada province in CA. Need at least 40% canopy closure and an average dbh of 11"	LOP ¼ mile around activity center from **3/1 to 8/15** unless owls not nesting. For unknown nest site/activity center, conduct surveys to locate if project is within ¼ miles of PAC.
Great gray owl	*Strix nebulosa*	Forest Service Sensitive	2,400-8,800	Western Sierra Nevada's with 60% in Mariposa and Tuolumne Co. Breeds in Yosemite NP area. Found in montane meadows and dense forest of medium to large mixed conifer and red fir. Conifer to lodgepole pine.	¼ mile around active nest stand from **3/1 to 8/15**. May be waived per reasons stated in SNFPA-FEIS.
Willow flycatcher	*Empidonax traillii brewsteri*	Forest Service Sensitive	2,000-8,000	Found in W. Sierra Nevada's willow dominated riparian areas, including moist meadows with perennial streams and smaller spring-fed or boggy areas.	Grazing **after 8/15** for the entire meadow in occupied sites. May be waived if a site specific mdw mgt strategy is in place that protects the nest

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
					site and associated habitat.
Northern goshawk	*Accipter gentiles*	Forest Service Sensitive	2,000-8,000	Found in dense mature mixed conifer to lodgepole pine and deciduous forests interspersed with meadows, other openings and riparian areas.	¼ mile around nest site from **2/15 to 9/15** unless goshawks not nesting. If nest stand is unknown, survey to determine location or apply LOP to ¼ mile around PAC.
Mammals					
Pacific fisher	*Pekania (Martes) pennanti*	Federally Proposed Back to Forest Service Sensitive (4/14/16)	3,500-8,000 feet	Forests with high canopy closure and structural elements of late successional old-growth forest. Closely associated with water or riparian habitats. Dens occur in cavities of standing large diameter conifers or hardwoods (snags or live)	700 acres around verified den sites from **3/1 to 6/30** as long as habitat remains suitable or until a Regionally approved mgt strategy is in place.
Pallid bat	*Antrozous pallidus*	Forest Service Sensitive	<10,000 feet	Uses a variety of habitats. Depends on oak woodlands for foraging. Roosts in mines, snags, and in crevices in oaks	
Fringed myotis	*Myotis thysanodes*	Forest Service Sensitive	Sea elevation to 9,300 feet	Optimal habitats are pinyon-juniper, valley foothill hardwood and hardwood-conifer. Roosts in caves and crevices.	
Townsend's big-eared bat	*Corynorhinus townsendii*	Forest Service Sensitive	<6,000 feet	Found throughout the Sierra Nevada. Inhabits isolated areas with low human disturbance	
California wolverine	*Gulo gulo luteus*	Forest Service Sensitive	6,400-10,800 feet	Uses a variety of habitats. Dens include snow covered roots, standing or down logs with large cavities, holes under coarse woody debris, old beaver lodges, bear dens or rocky areas.	
American marten	*Martes caurina*	Forest Service Sensitive	>7,200	Found in mesic, late successional coniferous forests. Dens are in trees, snags, downed logs and	100 acres around verified den sites from **5/1 to 7/31** as long as habitat

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
				rocks in structurally complex old forests.	remains suitable or until a Regionally approved mgt strategy is in place.
Reptile					
Western pond turtle	*Emys marmorata*	Forest Service Sensitive	< 5,000 feet	Aquatic habitats with permanent water, aquatic vegetation, logs, rocks, and exposed basking sites. Friable soils are required for burying eggs.	
Amphibians					
Yosemite toad	*Anaxyrus canorus*	FT Forest Service Sensitive	4,800-12,000 feet	Wet meadow or shores of ponds & lakes with thick meadow vegetation or willow patches in lodgepole or whitebark pine forest types in the central and southern Sierra Nevada mountains.	
Limestone salamander	*Hydromantes brunus*	Forest Service Sensitive	300 to 760 feet	Inhabits mossy limestone crevices and talus in the Grey Pine, Oak, Buckeye, Chaparral belt of the lower Merced River Canyon, typically on steep slopes. Has also been found in abandoned mine tunnels.	
Foothill yellow-legged frog	*Rana boylii*	Forest Service Sensitive	Sea level to 6,000 feet	Frequents streams with rocky substrates and open, sunny banks, in forests, chaparral and woodlands.	
Mountain yellow-legged frog	*Rana muscosa*	Forest Service Sensitive	1,220-7,560 feet	sunny riverbanks, meadow streams, isolated pools, and lake borders in the Sierra Nevada, rocky stream	
Sierra Nevada yellow-legged frog	*Rana sierrae*	Forest Service Sensitive	980-12,000 feet	Lakes, ponds, isolated pools, meadow streams, and sunny stream banks in the northern and	

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
				central Sierra Nevada mountains. For breeding and maturing of tadpoles: requires fish-free waters that do not freeze solid in the winter.	
Fishes					
Kern brook lamprey	*Lampetra hubbsi*	Forest Service Sensitive		Habitat includes silty backwaters of large rivers in the foothills region. This species requires slight flow	
Hardhead	*Mylopharodon conocephalus*	Forest Service Sensitive		found in small to large streams in a low to mid-elevation environment. may also inhabit lakes or reservoirs.	
Plant					
Yosemite onion	Allium yosemitense	Forest Service Sensitive			
Tulare rockcress	Boechera tularensis	Forest Service Sensitive			
upswept moonwort	Botrychium ascendens	Forest Service Sensitive			
scalloped moonwort	Botrychium crenulatum	Forest Service Sensitive			
slender moonwort	Botrychium lineare	Forest Service Sensitive			
common moonwort	Botrychium lunaria	Forest Service Sensitive			
mingan moonwort	Botrychium minganense	Forest Service Sensitive			
western goblin	Botrychium montanum	Forest Service Sensitive			

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
paradox moonwort	Botrychium paradoxum	Forest Service Sensitive			
moosewort	Botrychium tunux	Forest Service Sensitive			
giant moonwort	Botrychium yaaxudakeit	Forest Service Sensitive			
Bolander's bruchia	Bruchia bolanderi	Forest Service Sensitive			
pygmy pussypaws	Calyptridium pygmaeum	Forest Service Sensitive			
Mono Hot Springs evening-primrose	Camissonia sierrae ssp. alticola	Forest Service Sensitive			
Muir's tarplant	Carlquista muirii	Forest Service Sensitive			
tree-anemone	Carpenteria californica	Forest Service Sensitive			
Bolander's woodreed	Cinna bolanderi	Forest Service Sensitive			
Mariposa clarkia	Clarkia biloba ssp. australis	Forest Service Sensitive			
Merced clarkia	Clarkia lingulata	Forest Service Sensitive			
Rawson's flaming trumpet	Collomia rawsoniana	Forest Service Sensitive			
mountain lady's-slipper	Cypripedium montanum	Forest Service Sensitive			
unexpected larkspur	Delphinium inopinum	Forest Service Sensitive			

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
Tulare County bleeding heart	Dicentra nevadensis	Forest Service Sensitive			
Mt. Whitney draba	Draba sharsmithii	Forest Service Sensitive			
Tracy's eriastrum	Eriastrum tracyi	Forest Service Sensitive			
Kings River buckwheat	Eriogonum nudum var. regirivum	Forest Service Sensitive			
Monarch buckwheat	Eriogonum ovalifolium ssp. monarchense	Forest Service Sensitive			
Congdon's woolly sunflower	Eriophyllum congdonii	Forest Service Sensitive			
Shuteye Peak fawn lily	Erythronium pluriflorum	Forest Service Sensitive			
brook pocket moss	Fissidens aphelotaxifolius	Forest Service Sensitive			
Monarch gilia	Gilia yorkii	Forest Service Sensitive			
Blandow's bog moss	Helodium blandowii	Forest Service Sensitive			
Monarch golden-aster	Heterotheca monarchensis	Forest Service Sensitive			
Parry's horkelia	Horkelia parryi	Forest Service Sensitive			
short-leaved hulsea	Hulsea brevifolia	Forest Service Sensitive			
Madera leptosiphon	Leptosiphon serrulatus	Forest Service Sensitive			

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
Congdon's lewisia	Lewisia congdonii	Forest Service Sensitive			
Yosemite lewisia	Lewisia disepala	Forest Service Sensitive			
Kellogg's lewisia	Lewisia kelloggii ssp. kelloggii	Forest Service Sensitive			
orange lupine	Lupinus citrinus var. citrinus	Forest Service Sensitive			
Hockett Meadows lupine	Lupinus lepidus var. culbertsonii	Forest Service Sensitive			
broad-nerved hump-moss	Meesia uliginosa	Forest Service Sensitive			
elongate copper moss	Mielichhoferia elongata	Forest Service Sensitive			
Shevock's copper moss	Mielichhoferia shevockii	Forest Service Sensitive			
slender-stemmed monkeyflower	Mimulus filicaulis	Forest Service Sensitive			
slender-stalked monkeyflower	Mimulus gracilipes	Forest Service Sensitive			
Kaweah monkeyflower	Mimulus norrisii	Forest Service Sensitive			
yellow-lip pansy monkeyflower	Mimulus pulchellus	Forest Service Sensitive			
veined water lichen	Peltigera gowardii	Forest Service Sensitive			
marble rockmat	Petrophyton caespitosum ssp. acuminatum	Forest Service Sensitive			

Species Name	Scientific Name	Listing Status	Elev Range	General Habitat Description	LOP Guidelines
whitebark pine	Pinus albicaulis	Forest Service Sensitive			
Yosemite bog orchid	Platanthera yosemitensis	Forest Service Sensitive			
Tehipite Valley jewel-flower	Streptanthus fenestratus	Forest Service Sensitive			
Howell's tauschia	Tauschia howellii	Forest Service Sensitive			
Bolander's clover	Trifolium bolanderi	Forest Service Sensitive			

Solely Management Indicator Species (MIS)	General Habitat Description
Deer	Oak associated hardwood & Hardwood/conifer
Fox sparrow	Scrubland
Greater sage grouse	Sagebrush
Yellow warbler	Riparian
Mountain quail	Early Seral/Mid Seral Coniferous Forest
Sooty (blue) grouse	Late Seral Open Canopy Coniferous Forest
Northern flying squirrel	Late Seral Closed Canopy Coniferous Forest
Hairy woodpecker	Snags in green forest
Black-backed woodpecker	Snags in burned forest

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Imported file selection

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Anaxyrus canorus Yosemite toad	AAABB01040	Threatened	None	G2G3	S2S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G5	S3	SSC
Aplodontia rufa californica Sierra Nevada mountain beaver	AMAFA01013	None	None	G5T3T4	S2S3	SSC
Atractelmis wawona Wawona riffle beetle	IICOL58010	None	None	G1G3	S1S2	
Big Tree Forest Big Tree Forest	CTT84250CA	None	None	G3	S3.2	
Bombus crotchii Crotch bumble bee	IIHYM24480	None	None	G3G4	S1S2	
Cinna bolanderi Bolander's woodreed	PMPOA1H040	None	None	G2	S2	1B.2
Clarkia australis Small's southern clarkia	PDONA05040	None	None	G2	S2	1B.2
Collomia rawsoniana Rawson's flaming trumpet	PDPLM02080	None	None	G2	S2	1B.2
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G3G4	S2	SSC
Cuscuta jepsonii Jepson's dodder	PDCUS011T0	None	None	GH	SH	1B.2
Empidonax traillii willow flycatcher	ABPAE33040	None	Endangered	G5	S1S2	
Eriophyllum nubigenum Yosemite woolly sunflower	PDAST3N0A0	None	None	G2	S2	1B.3
Erythranthe gracilipes slender-stalked monkeyflower	PDSCR1B1C0	None	None	G2	S2	1B.2
Euderma maculatum spotted bat	AMACC07010	None	None	G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
Hulsea brevifolia short-leaved hulsea	PDAST4Z020	None	None	G3	S3	1B.2
Hydroporus leechi Leech's skyline diving beetle	IICOL55040	None	None	G1?	S1?	
Lasionycteris noctivagans silver-haired bat	AMACC02010	None	None	G5	S3S4	
Lasiurus blossevillii western red bat	AMACC05060	None	None	G5	S3	SSC

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lasiurus cinereus hoary bat	AMACC05030	None	None	G5	S4	
Martes caurina sierrae Sierra marten	AMAJF01014	None	None	G5T3	S3	
Myotis ciliolabrum western small-footed myotis	AMACC01140	None	None	G5	S3	
Myotis evotis long-eared myotis	AMACC01070	None	None	G5	S3	
Myotis thysanodes fringed myotis	AMACC01090	None	None	G4	S3	
Myotis yumanensis Yuma myotis	AMACC01020	None	None	G5	S4	
Pekania pennanti fisher - West Coast DPS	AMAJF01021	Proposed Threatened	Candidate Threatened	G5T2T3Q	S2S3	SSC
Peltigera gowardii western waterfan lichen	NLVER00460	None	None	G3G4	S3	4.2
Plagiobothrys torreyi var. torreyi Yosemite popcornflower	PDBOR0V152	None	None	G4T3Q	S3	1B.2
Rana sierrae Sierra Nevada yellow-legged frog	AAABH01340	Endangered	Threatened	G1	S1	WL
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Tetrix sierrana Sierra pygmy grasshopper	IIORT27010	None	None	G1G2	S1S2	
Viburnum ellipticum oval-leaved viburnum	PDCPR07080	None	None	G4G5	S3?	2B.3
Vulpes vulpes necator Sierra Nevada red fox	AMAJA03012	Candidate	Threatened	G5T1T2	S1	

Record Count: 34

California Native Plant Society Species List - Wawona

CNPS California Native Plant Society

Plant List

Inventory of Rare and Endangered Plants

16 matches found. *Click on scientific name for details*

Search Criteria

Found in Quad 3711956

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Allium yosemitense	Yosemite onion	Alliaceae	perennial bulbiferous herb	Apr-Jul	1B.3	S3	G3
Ceanothus fresnensis	Fresno ceanothus	Rhamnaceae	perennial evergreen shrub	May-Jul	4.3	S4	G4
Cinna bolanderi	Bolander's woodreed	Poaceae	perennial herb	Jul-Sep	1B.2	S2	G2
Clarkia virgata	Sierra clarkia	Onagraceae	annual herb	May-Aug	4.3	S3	G3
Cordylanthus rigidus ssp. brevibracteatus	short-bracted bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	Jul-Aug (Oct)	4.3	S4	G5T4
Cuscuta jepsonii	Jepson's dodder	Convolvulaceae	annual vine (parasitic)	Jul-Sep	1B.2	SH	GH
Cypripedium montanum	mountain lady's-slipper	Orchidaceae	perennial rhizomatous herb	Mar-Aug	4.2	S4	G4
Eriophyllum congdonii	Congdon's woolly sunflower	Asteraceae	annual herb	Apr-Jun	1B.2	S2	G2
Erythranthe filicaulis	slender-stemmed monkeyflower	Phrymaceae	annual herb	Apr-Aug	1B.2	S2	G2
Erythranthe gracilipes	slender-stalked monkeyflower	Phrymaceae	annual herb	Apr-Jun	1B.2	S2	G2
Hulsea brevifolia	short-leaved hulsea	Asteraceae	perennial herb	May-Aug	1B.2	S3	G3
Lewisia congdonii	Congdon's lewisia	Montiaceae	perennial herb	Apr-Jun	1B.3	S2	G2
Perideridia bacigalupii	Bacigalupi's yampah	Apiaceae	perennial herb	Jun-Aug	4.2	S3	G3
Plagiobothrys torreyi var. perplexans	chaparral popcornflower	Boraginaceae	annual herb	Apr-Sep	4.3	S3?	G4T3?
Plagiobothrys torreyi var. torreyi	Yosemite popcornflower	Boraginaceae	annual herb	Apr-Jun	1B.2	S3	G4T3Q
Viburnum ellipticum	oval-leaved viburnum	Adoxaceae	perennial deciduous shrub	May-Jun	2B.3	S3?	G4G5

Suggested Citation

California Native Plant Society, Rare Plant Program. 2017. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 05 September 2017].

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The California Lichen Society

California Native Plant Society Species List – Fish Camp

CNPS California Native Plant Society

Plant List

Inventory of Rare and Endangered Plants

2 matches found. *Click on scientific name for details*

Search Criteria

Found in Quad 3711946

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Clarkia australis	Small's southern clarkia	Onagraceae	annual herb	May-Aug	1B.2	S2	G2
Cypripedium montanum	mountain lady's-slipper	Orchidaceae	perennial rhizomatous herb	Mar-Aug	4.2	S4	G4

Suggested Citation

California Native Plant Society, Rare Plant Program. 2017. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 05 September 2017].

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Appendix B List of Technical Studies Available Separately

Air Quality, Noise, and Water Quality Study (March 2017) (update September 2017)

Natural Environment Study (May 2017) (update September 2017)

Location Hydraulic/Floodplain Study (March 2017)

Paleontological Identification Report (May 2017)

Hazardous Waste Compliance Memo (October 2016)

Scenic Resource Evaluation (April 2017)

The following technical study has been removed due to confidentiality:

Historic Property Survey Report (May 2017)

Legal authority to restrict cultural resource information can be found in California Government Code Sections 6254.10 and 6254(r); California Code of Regulations Section 1512(d); and Section 304 of the National Historic Preservation Act of 1966.

Appendix C Comments and Responses

This appendix addresses any comments received on the Initial Study with Proposed Mitigated Negative Declaration. The document was circulated for public review and comment from June 22, 2017 through July 22, 2017. A Notice of Intent to Adopt a Mitigated Negative Declaration was published in *The Mariposa Gazette* on June 22, 2017.

On July 23, 2017, a letter was received from the State Clearinghouse acknowledging that Caltrans has complied with review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Three comments were received from the California Department of Fish and Wildlife, the Central Valley Regional Water Quality Control Board, and a private citizen, Karen Glendenning. These comments and their responses are in this appendix. There were no requests for a hearing for this project.

State Clearinghouse Letter

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

July 21, 2017

Juan Torres
California Department of Transportation, District 6
855 M St, Suite 200
Fresno, CA 93704

Subject: Culvert Rehabilitation near Fish Camp in Madera and Mariposa Counties
SCH#: 2017061059

Dear Juan Torres:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 20, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

California Department of Fish and Wildlife

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

July 12, 2017

Juan Torres
California Department of Transportation
855 M Street, Suite 200
Fresno, California 93704
Juan.Torres@dot.ca.gov

Subject: Mitigated Negative Declaration, Culvert Rehabilitation near Fish Camp in Madera and Mariposa Counties (Project)
SCH#: 2017061059

Dear Mr. Torres:

The California Department of Fish and Wildlife (CDFW) has reviewed the information provided by the California Department of Transportation (Caltrans) for the above Culvert Rehabilitation Project (Project). CDFW understands Caltrans will replace and/or repair deteriorated cross drainage systems at nineteen (19) locations along Highway 41 in Madera and Mariposa Counties from post mile 0.10 to 4.85, south of the entrance of Yosemite National Park. Of the 19 locations, ten (10) are road drainages with grated inlets of which two (2) are associated with adjacent channels; the remaining nine (9) are steel pipe culverts with flared end sections of which three (3) are associated with seasonal streams. The cured-in-place method for repair/replacement will be used at four (4) of the 19 locations.

CDFW is concerned with the potentially significant impacts to the State Candidate foothill yellow-legged frog (*Rana boylii*); the State Species of Special Concern northern goshawk (*Accipiter gentilis*) and California spotted owl (*Strix occidentalis occidentalis*); special status plant, nesting birds, and watercourse and riparian resources. CDFW requests the following recommendations be included in the CEQA document prepared for this Project as enforceable mitigation measures as appropriate. Our comments follow.

CDFW Jurisdiction

Trustee Agency Authority: CDFW is a Trustee Agency with responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, CDFW is responsible for providing, as available,

biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 [commencing with Section 21000] of the Public Resources Code).

Responsible Agency Authority: CDFW has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the project could result in the take of any species listed as threatened or endangered under the California Endangered Species Act (CESA), CDFW may need to issue an Incidental Take Permit (ITP) for the project. CEQA requires a mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001(c), 21083, Guidelines sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports a Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. Issuance of an ITP is subject to CEQA review. CDFW recommends that the CEQA document prepared for this Project describes and addresses the potential impacts to listed species; otherwise, preparation of a supplemental CEQA document would be necessary if issuance of an ITP is necessary.

CDFW also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code sections 1600 et seq. Fish and Game Code sections 1600 et seq. requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation): (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are episodic as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a LSA Agreement. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into the "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. Project-related activities could result in pollution of Waters of the State, impacting fish and wildlife resources by causing increased sediment input, potential discharges of toxic substances and other constituents of concern from heavy equipment use, and impairment of wildlife movement along riparian corridors. The Regional Water Quality Control Board also has jurisdiction regarding discharge and pollution to Waters of the State, including storm water runoff into surface waters.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T as specified in the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, and Section 15380), it ought to be fully considered in the environmental analysis for the Project. If special status animal or plant species are detected during ground-disturbing activities, consultation with CDFW is warranted to discuss potential avoidance, minimization, and mitigation measures.

Bird Protection: CDFW has jurisdiction over actions, which may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory non-game bird).

Recommendations

Nesting Birds: The trees, shrubs and grasses within and in the vicinity of each of the Project work sites likely provide nesting habitat for songbirds and raptors. There is also a known great blue heron rookery located along Highway 41 in the community of Fish Camp. CDFW encourages Project implementation to occur outside the bird-nesting season. However, if ground- and vegetation-disturbing activities must occur during the breeding season (February through mid-September), Caltrans is responsible for ensuring that implementation of the Project does not result in any violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. Prior to work commencing, including staging, clearing, and grubbing, CDFW recommends surveys for active nests be conducted by a qualified wildlife biologist no more than 10 days prior to the start of the of the Project activities and that the surveys be conducted in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected by the Project activities. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests should be continuously surveyed for the first 24 hours prior to any Project-related activities commencing to establish a behavioral baseline. Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of the Project. If behavioral changes are observed, the work causing that change should cease and CDFW consulted for additional avoidance and minimization measures.

1

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around the nests of unlisted raptors until the breeding season has ended, or until a qualified biologist has

determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and it is recommended CDFW be notified in advance of implementation of a no-disturbance buffer variance.

California Spotted Owl (CSO), Northern Goshawk (NOGO): The trees and snags within the vicinity of the Project may provide potential nesting habitat for the northern goshawk (NOGO) and California spotted owl (CSO). The MND includes a limited operation period for CSO and NGO, but it is unclear what Project activities may occur during these limited operating periods, and what type of buffers may be in place during these times. The MND also indicates that nesting bird surveys will be performed prior to Project activities on any culvert work site in proximity (less than 100 feet) to nests. This implies surveys will only be conducted for current/known nest sites within 100 feet of Project activities. The May 2017 Natural Environmental Study is not included in the MND, and it is unclear what surveys have been conducted. CDFW recommends a qualified biologist conduct protocol level surveys no more than 10 days prior to the start of the Project within potential nesting habitat for the above special status species, and that the surveys be conducted in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected by the Project activities. If active nest(s) are detected, CDFW recommends a minimum no-disturbance buffer of 0.25 miles be delineated around the nest until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from this no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the Project work site would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and it is recommended CDFW be notified in advance of implementation of a no disturbance buffer variance. 2

Foothill Yellow-Legged Frog (FYLF): The Project site is within the range of the foothill yellow-legged frog (FYLF). On June 21, 2017, the California Fish and Game Commission (Commission) designated the FYLF as a Candidate for listing under CESA pursuant to Fish and Game Code 2074.2. On July 7, 2017 the Commission published its acceptance and designated the FYLF as a candidate species, therefore, there can be no take of this species without authorization from CDFW through the issuance of an ITP pursuant to Section 2081(b) of the Fish and Game Code. FYLF generally use watercourses for movement, but have been documented as far as 40 meters from the stream. FYLF instream travel rates vary from tens to hundreds of meters per day, with the longest recorded distance being 1,386 meters per day (Bourque 2008). CDFW advises potential impacts to the FYLF be fully evaluated in the CEQA document 3

prepared for this project. CDFW recommends a qualified biologist assess the Project area for potential FYLF habitat, and that focused surveys be conducted by a qualified biologist in all work sites where potential habitat exists. If any life stage of the FYLF (adult, metamorph, larvae, egg mass) is found, consultation with CDFW is warranted and acquisition of an ITP may be necessary prior to initiating Project activities.

Special-Status Plant Species: There is the potential for multiple special-status plant species to occur on or adjacent to multiple Project work sites. The MND includes a mitigation measures that requires botanical pre-construction surveys be performed during the blooming period where ground disturbance activities will occur in those work sites identified to have suitable habitat within or near California Native Plant Society (CNPS) and California Natural Diversity Database (CNDDB) occurrence records. It is unclear what "near" means, and the CNPS and CNDDB are positive occurrence databases and are not an exhaustive and comprehensive inventory of all special status species statewide. CDFW recommends a qualified botanist conduct protocol level surveys in all work sites of potentially suitable habitat following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

4

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

More information on survey and monitoring protocols for sensitive species can be found at the Department's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocolswww.dfg.ca.gov/wildlife/nongame/survey_monitor.html). If you have any questions on these issues, please contact Margarita Gordus, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (559) 243-4014, extension 236, or by electronic mail at Margarita.Gordus@wildlife.ca.gov.

Sincerely,

Julie A. Vance
Regional Manager

cc: Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, California 93706-2020

ec: Office of Planning and Research
State Clearinghouse, state.clearinghouse@opr.ca.gov

California Department of Transportation
Philip Vallejo, Philip.Vallejo@dot.ca.gov

California Department of Fish and Wildlife
Margarita Gordus, Margarita.Gordus@wildlife.ca.gov
Steven Hulbert, Steven.Hulbert@wildlife.ca.gov

Response to California Department of Fish and Wildlife

1. Nesting bird surveys will be performed by a qualified wildlife biologist no more than 10 days prior to work commencing, including staging, clearing, and grubbing. The surveys will be conducted within the Project Impact Area. Any identified nest will be continuously surveyed for the first 24 hours prior to any project activities commencing.

2. A no-disturbance buffer of 100 feet will be delineated around any identified California Spotted Owl nests. The nests will be monitored until a qualified biologist has determined the birds are no longer reliant upon the nest or parental care for survival or until project activities have ceased.

3. At the time of the draft environmental document for this project, the Foothill yellow-legged frog was not listed. Caltrans Biology, however, did evaluate the species during reconnaissance surveys in March 2017. The project site lacks suitable habitat for aquatic resources, such as rocky streams, rivers, or isolated pools, required by this species. The project area is located outside the foothill yellow-legged frog's elevation range of 2,040 meters above sea level.

4. A qualified biologist will conduct protocol level surveys *following* California Department of Fish and Game's November 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* within the Project Impact Area with suitable habitat. The survey will include the identification of a reference population.

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

Phillip Vallejo, Senior Environmental Planner
California Department of Transportation
855 M Street, Ste. 200
Fresno, CA 93721

6 July 2017

REQUEST FOR COMMENTS, INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION, CULVERT REHABILITATION NEAR FISH CAMP IN MADERA AND MARIPOSA COUNTIES, SCH 2017061059, MADERA AND MARIPOSA COUNTIES

On 23 June 2017, we received the California Department of Transportation's request for comments on the Initial Study/proposed mitigated negative declaration for the Culvert Rehabilitation near Fish Camp Project (Project). The Project includes repair or replacement of deteriorated culverts at 19 locations on State Route 41 between Oakhurst and Yosemite National Park. As discussed below, we do not agree with the determination that the proposed project will have no impact to water quality and hydrology. 1

Depending on the methods and materials used, the activities in the project description of the Initial Study could potentially impact water quality.

The Initial Study indicates four culverts will be repaired by lining with a cured-in-place-pipe method. As discussed in the February 2017 *Final Report, Water Quality of Flow Through Cured-In-Place-Pipe,* prepared for Caltrans, the report's recommended enhancements to the Caltrans specifications for CIPP installation should be included as a mitigation measure in the Mitigated Negative Declaration to protect water quality during use of this method. 2

Additionally, we believe the Mitigated Negative Declaration should include appropriate mitigation measures to protect water quality which would include obtaining coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. 3

Additionally, we understand you will be conducting a jurisdictional determination for submission to the U.S. Army Corps of Engineers (Corps), and obtaining a Clean Water Act § 404 permit from the Corps, along with a § 401 water quality certification from our office. The Initial Study indicates that not all of the 19 culverts are associated with federal jurisdictional channels or streams. The Central Valley Regional Water Quality Control Board may take state jurisdiction over drainages and channels not considered to be under federal jurisdiction. 4

If you have any questions regarding these comments, please contact me at (559) 445-6281 or by email at debra.mahnke@waterboards.ca.gov.

Debra Mahnke

DEBRA MAHNKE
Water Resource Control Engineer

cc: State Clearinghouse

Response to Central Valley Regional Water Quality Control Board

1. Caltrans maintains most "no impact" determinations in the Hydrology and Water Quality section of the CEQA Checklist because together, the Caltrans' Best Management Practices, the National Pollution Discharge Elimination System (NPDES) Statewide Stormwater Permit, the Army Corps of Engineers Clean Water Act Section 404 permit, and the Central Valley Regional Water Quality Control Board Section 401 water quality certification, would protect water quality at the culverts locations. However, Caltrans has changed its determination item *(f) "Otherwise substantially degrade water quality?"* of the Hydrology and Water Quality section of the CEQA Checklist to "less than significant impact."

2. Of the 19 culvert locations to be rehabilitated, four locations would be rehabilitated with the cured-in-place-pipe method. Caltrans will employ a thermosetting or UV cured, resin-impregnated flexible felt or fiberglass tube either inverted in place using water or compressed air, or pulled in place with a winch. This variation was described as the "Polyester-Styrene Resin" in the February 2017 *Final Report, Water Quality of Flow Through Cured-In-Place-Pipe.* A special provision to the construction package will include recommended enhancements in the report to protect water quality and aquatic species. Caltrans will work with the Central Valley Regional Water Quality Control Board toward applying recommended enhancements to protect water quality at the culvert outlets and protect aquatic species during the Plans, Specifications and Estimates phase of the project.

We understand that the Board requested that the cured-in-place-pipe enhancements be as a mitigation measure in the Mitigated Negative Declaration. Caltrans maintains that this is not a mitigation measure but has always been a part of the project description to limit disturbed soil. As stated previously, Caltrans will coordinate with the Central Valley Regional Water Quality Control Board applying the cured-in-place-pipe installation at those four locations.

The Caltrans National Pollution Discharge Elimination System (NPDES) Statewide Stormwater Permit (Number CAS000003) gives the Regional Water Quality Control Board the option to specify additional requirements they may consider necessary to meet water quality standards.

3. During construction, the project will deploy Best Management Practice methods dictated by the Caltrans NPDES Statewide Stormwater Permit (Number CAS000003) issued to Caltrans by the State Water Resources Control Board (SWRCB). The SWRCB, as delegated by the Environmental Protection Agency, enforces the Clean Water Act Section 401 (p) NPDES permit requirements, and is the issuer and administrator of the Caltrans Permit. This permit was issued to Caltrans in 2012, under Order 2012-0011-DWQ as amended by Order WQ 2014-0006-EXEC, Order WQ 2014-0077-DWQ, and Order WQ 2015-0036-EXEC, to regulate stormwater discharge from Caltrans facilities.

The level of Construction Site Best Management Practices is determined by permit requirements and the amount of disturbed soil area created by the construction of the project. This project's activities generate a disturbed soil area less than 1 acre, and would normally not require a Storm Water Pollution Prevention Plan (SWPPP). However, this project requires a Section 401 and 404 Permit, therefore, a SWPPP will be applied to this project, which does include obtaining coverage under the General Permit and should adequately address protecting surface water quality for pollution. Specific measures to avoid and reduce potential impacts to water quality in the construction area will be specified in the construction contract.

More information can be obtained from the following web site:

http://www.waterboards.ca.gov/water issues/programs/stormwater/caltrans.shtml

4. Caltrans will coordinate with the Fresno Regional Water Quality Control Board (RWQCB) office to determine which of the 19 culvert repairs will be within the Fresno RWQCB jurisdiction during the Plans, Specifications, and Estimates phase of the project.

Karen Glendenning, Private Citizen of Fish Camp, CA

Vallejo, Philip@DOT

From: Karen Glendenning <fishcamprocks@hotmail.com>
Sent: Tuesday, July 11, 2017 7:49 PM
To: Vallejo, Philip@DOT
Subject: Culvert Rehabilitation on Highway 41 in the Fish Camp area Comments

Good Day Philip,

Please be advised that this ongoing activity will occur in and around Fish Camp in 2017 and possibly into 2018.

1. Ongoing Timber Harvest on the "Silvertip Resort Village" property off Fish Camp Lane, Fish Camp, CA. Palm Springs Village, 309, LLC is the owner of the property. (West of Highway 41, south of the bridge in Fish Camp).
2. Application Filed for Timber Harvest Plan at the "Cabins at Tenaya" (East of Highway 41, north of Tenaya Lodge). Delaware North Corporation, DNC, is the owner of the property.
3. Timber Harvest Exemption, removal of trees, on the Boswell property off Fish Camp Lane, Fish Camp, CA. Jeff & Shirley Boswell owners of property.
4. Mariposa Grove restoration and supplemental highway work. Rock transport trucks have been bringing in quite a few loads of large rocks for use along the Wawona Road (Highway 41) within Yosemite National Park. Paving is supposed to happen toward the end of summer.
5. Site preparation / grading on the Silvertip Resort Village project off Fish Camp Lane, Fish Camp, CA. Palm Springs Village 309, LLC., owner.
6. There is a planned Turn Lane, Deceleration Lanes, Acceleration Lanes Encroachment for the Silvertip Resort Village project off Fish Camp Lane, Fish Camp, CA. Palm Springs Village 309, LLC, owner.
7. There is a Lake and Streambed Alteration Agreement involving road access to Highway 41 for the Silvertip Resort Village project that will encroach upon the pond on the east side of Highway 41, (land owned by DNC) Palm Springs Village 309, LLC, owners.
8. There is a planned Turn Lane, Deceleration Lanes, Acceleration Lanes Encroachment for the Cabins at Tenaya Lodge project off the east side of Highway 41, north of the Tenaya Lodge. Delaware North Corporation, DNC, owner.
9. Yosemite South Entrance Round-a-bout Installation. Excavation, grading, paving and hauling of material will impact Highway 41 traffic.

These projects/applications/permits may have come through the Cal TRANS Fresno District 6 Office. Please check with them for more thorough information and contact information.

Many of these projects will have transportation of heavy equipment and heavy materials over Highway 41. Not sure if you want the other projects to be completed prior to the Culvert Restoration Project or if you want to go ahead and do the Culvert Restoration Project and have these various activities impact the wonderful work that is being planned.

Karen Glendenning
private citizen of Fish Camp

1

Response to Karen Glendenning

Thank you for your comment.

Caltrans Environmental contacted the Mariposa County Planning Department to discuss your comment. Caltrans and Mariposa County and will be coordinating the scheduling of private development in and around the Yosemite National Park. In addition, Caltrans Environmental forwarded your comment to Caltrans Transportation Planning and Caltrans Project Management to make sure that scheduling of these projects is seamless.

Appendix D State Historic Preservation Office Concurrence Letter

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov

June 20, 2017

VIA EMAIL

In reply refer to: FHWA_2017_0524_001

Alexandra Bevk Neeb, Section 106 Coordinator
Cultural Studies Office
Caltrans Division of Environmental Analysis
1120 N Street, PO Box 942873, MS-27
Sacramento, CA 94273-0001

Subject: Finding of No Adverse Effect for the Proposed State Route 41 Culvert Rehabilitation Project near Fish Camp, Mariposa and Madera Counties, CA

Dear Ms. Bevk Neeb:

The Office of Historic Preservation (OHP) received your letter on May 24, 2017 requesting review and comment with regard to the above-referenced undertaking. The California Department of Transportation (Caltrans) is consulting with the State Historic Preservation Officer (SHPO) regarding the above referenced undertaking in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (PA).

Caltrans proposes to replace/repair 19 damaged metal drainage culverts near Fish Camp in Mariposa and Madera Counties. The limits of this undertaking are on State Route 41 from the Mariposa County line to 0.1 miles south of Yosemite National Park. The undertaking would include full replacement of 14 culverts and relining/repair of five culverts.

Cultural resource studies were conducted for the undertaking in an effort to identify historic properties. Research, field investigation, and Native American consultation with tribes, groups, and individuals determined there were are two resources within the area of potential effects (APE): the Westfall Ranger Station and prehistoric archaeological site CA-MAD-233. The Westfall Ranger Station was previously found eligible for the National Register of Historic Places (NRHP) under Criterion A and C. CA-MAD-233 has never been formally evaluated for the NRHP but will be considered eligible for the purposes of this undertaking only because the site will be protected in its entirety from potential effects through the establishment of an Environmentally Sensitive Area (ESA), in accordance with Stipulation VIII.C.3 of the PA.

Caltrans has determined that a finding of no adverse effect with non-standard conditions is appropriate for this undertaking because those characteristics of the Westfall Ranger Station that make it eligible for the NRHP will be protected through the implementation of ESA Action Plan that will provide for the establishment of an ESA, ESA delineation by fencing, monitoring of construction activities, and a plan for treatment of post-review discoveries. Construction monitoring will be conducted by an architectural historian monitor, archaeological monitor and Native American monitor. As a result Caltrans has found, pursuant to Stipulation X.B.2 of the PA, that the proposed undertaking will have no adverse effect on historic properties.

Based on my review of the submitted documentation, I have no objection to this finding.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 445-7014 with e-mail at natalie.lindquist@parks.ca.gov or Alicia Perez at (916) 445-7020 with e-mail at alicia.perez@parks.ca.gov .

Sincerely,

Julianne Polanco
State Historic Preservation Officer